



This document is scheduled to be published in the Federal Register on 02/19/2016 and available online at <http://federalregister.gov/a/2016-03033>, and on FDsys.gov

DEPARTMENT OF TRANSPORTATION

[4910-22-P]

Federal Highway Administration

Notice of Final Federal Agency Actions on MoPac (Loop 1) Intersections, Travis County, Texas

AGENCY: Federal Highway Administration (FHWA), U.S. DOT

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by TxDOT and Federal Agencies

SUMMARY: This notice announces actions taken by Texas Department of Transportation (TxDOT) and Federal agencies that are final within the meaning of 23 U.S.C. 139(l)(1). The actions relate to a proposed highway project, MoPac (Loop 1) Intersections from north of Slaughter Lane to south of La Crosse Avenue, Travis County, Texas. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, TxDOT is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before (INSERT DATE 150 DAYS FROM PUBLICATION). If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: Mr. Carlos Swonke, P.G., Environmental Affairs Division, Texas Department of Transportation, 125 East 11th Street, Austin, Texas 78701; telephone: (512) 416-2734; e-mail: carlos.swonke@txdot.gov. TxDOT's normal business hours are 8:00 a.m. to 5:00 p.m. (central time) Monday through Friday.

SUPPLEMENTARY INFORMATION: Notice is hereby given that TxDOT and Federal agencies have taken final agency actions by issuing licenses, permits, and approvals for the following highway project in the State of Texas: MoPac (Loop 1) Intersections, Travis County, Texas. The proposed improvements will involve grade separating the cross streets of Slaughter Lane and La Crosse Avenue such that MoPac will pass under the existing cross streets. Traffic traveling northbound and southbound in this corridor will no longer need to stop at a signalized intersection to travel through the area. The proposed improvements to MoPac consist of two 12-foot lanes with one auxiliary lane in each direction, and 10-foot outside shoulders and 4-foot inside shoulders in each direction. The construction limits extend from approximately 2,500 feet north of Slaughter Lane to approximately 3,700 feet south of La Crosse Avenue, which results in a total project length of 2.07 miles. The construction limits allow the intersection improvements to tie back into the existing MoPac facility north of Slaughter Lane and south of La Crosse Avenue. The proposed improvements will be constructed within existing right-of-way.

The actions by TxDOT and the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (Final EA) for the project, approved on December 22, 2015, in the Finding of No Significant Impact (FONSI) issued on December 22, 2015, and in other documents in the TxDOT administrative record. The Final EA, FONSI, and other documents in the administrative record file are available by contacting TxDOT at the address provided above. The Final EA and FONSI can be viewed on the project website at www.mopacsouth.com/intersections/overview.php.

This notice applies to all TxDOT decisions and Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109].
2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].
3. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303]; Landscaping and Scenic Enhancement (Wildflowers), 23 U.S.C. 319.
4. Wildlife: Endangered Species Act [16 U.S.C. 1531-1544 and Section 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703-712].
5. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) et seq.]; Archeological Resources Protection Act of 1977 [16 U.S.C. 470(aa)-11]; Archeological and Historic Preservation Act [16 U.S.C. 469-469(c)]; Native American Grave Protection and Repatriation Act (NAGPRA) [25 U.S.C. 3001-3013].
6. Social and Economic: Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]; American Indian Religious Freedom Act [42 U.S.C. 1996]; Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201-4209].
7. Wetlands and Water Resources: Clean Water Act, 33 U.S.C. 1251-1377 (Section 404, Section 401, Section 319); Land and Water Conservation Fund (LWCF) [16 U.S.C. 4601-4604]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(6)]; Rivers and Harbors Act of 1899 [33 U.S.C. 401-406]; Wild and Scenic Rivers Act [16 U.S.C. 1271-1287]; Emergency Wetlands Resources Act [16 U.S.C. 3921, 3931]; TEA-21 Wetlands Mitigation [23 U.S.C. 103(b)(6)(m), 133(b)(11)]; Flood Disaster Protection Act [42 U.S.C. 4001-4128].
8. Executive Orders: E.O. 11990, Protection of Wetlands; E.O. 11988, Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593, Protection and

Enhancement of Cultural Resources; E.O. 13007, Indian Sacred Sites; E.O. 13287, Preserve America; E.O. 13175, Consultation and Coordination with Indian Tribal Governments; E.O. 11514, Protection and Enhancement of Environmental Quality; E.O. 13112, Invasive Species; E.O. 12372, Intergovernmental Review of Federal Programs.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 16, 2014, and executed by FHWA and TxDOT.

Authority: 23 U.S.C. 139(l)(1).

Issued on: February 8, 2016

Michael T. Leary

Director, Planning and Program Development

Federal Highway Administration

[FR Doc. 2016-03033 Filed: 2/18/2016 8:45 am; Publication Date: 2/19/2016]